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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/748,707

12/30/2003

Radhika R. Roy

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EXAMINER

VU, VIET DUY

ART UNIT

PAPER NUMBER

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/748,707	<b>Applicant(s)</b> ROY ET AL.	
	<b>Examiner</b> Viet Vu	<b>Art Unit</b> 2454	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 11 August 2009.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

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**Art Rejections:**

1. The text of 35 U.S.C. 103(a) not cited here can be found in previous office action.

2. Claims 1-3 and 6-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over D'Angelo et al, U.S. pat. No. 7,539,291.

Per claims 1 and 8, D'Angelo discloses a real-time communications system comprising:

**a)** an inter-architecture network (Internet 130) comprising a plurality of external networks (150, 110, fig. 1) wherein each of the external networks utilizes different access protocol (see col 2, lines 43-64 and col 3, lines 11-18);

**b)** a plurality of border elements (120, 141, fig. 1), each of the border elements in communication with the inter-architecture network and each of the border elements in communication with a respective external network wherein each of the border elements converts a different access protocol of the respective external network to the single protocol (see col 3, lines 45-63); and

D'Angelo does not explicitly show call control elements deployed in Internet 130. It is however noted that such call control elements are needed to provide communication services such as Internet telephony, conference, etc.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize conventional call control elements in D'Angelo because it would have enabled providing communication services such as Internet telephony, conference (see col 3, lines 57-63).

Per claims 2-3 and 9, it is noted that the Internet comprises many media servers (e.g., web sites) and other essential network elements including DHCP server and routers.

Per claims 6-7, D'Angelo also teaches employing application servers and network resource servers to provide call control/routing functions (see cols 9-10).

Per claims 10-11, it is noted that D'Angelo teachings would accommodate any conventional external networks utilizing any known protocols.

3. Claims 4-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over D'Angelo et al and further in view of Baum et al, U.S. pat. Appl. Pub. No. 2003/0211839.

D'Angelo does not disclose the use of E911 server. The use of E911 server for providing assistance to law enforcement personnel is well known in the art as disclosed by Baum (see Baum in par. 67).

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It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize E911 server in D'Angelo because it would have enabled proper routing emergency Internet calls to the right destination.

**Response to Amendment:**

4. Applicant's arguments filed on August 11, 2009 with respect to claims 1-12 have been fully considered but they are moot in view of new ground of rejection set forth above.

**Conclusion:**

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Viet Vu whose telephone number is 571-272-3977. The examiner can normally be reached on Monday through Friday from 7:00am to 4:00pm. The Group general information number is 571-272-2100. The Group fax number is 571-273-8300. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan Flynn, can be reached on 571-272-1915.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>.

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Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Viet Vu/

Primary Examiner, Art Unit 2454

8/28/09